



15 MAR 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Docket Administrator  
Lucent Technologies  
Room 3J-219  
101 Crawfords Corner Rd.  
Holmdel NJ 07733-3030

In re Application of	:	
CASATI et al.	:	
Application No.: 10/009,019	:	NOTIFICATION
PCT No.: PCT/GB00/01486	:	
Int. Filing Date: 18 April 2000	:	
Priority Date: 08 June 1999	:	
Attorney's Docket No.: Casati 1-1-1	:	
For: MOBILE IP DEPLOYMENT	:	

This decision is in response to applicants' submission filed in the United States Patent and Trademark Office (USPTO) on 02 March 2005.

### **BACKGROUND**

On 18 April 2000, applicant filed international application PCT/GB00/01486, which designated the United States and claimed a priority date of 08 June 1999. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 14 December 2000. A Demand for international preliminary examination, in which the United States was elected, was filed on 25 September 2000, prior to the expiration of nineteen months from the priority date. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 10 December 2001 (08 December 2001 being a Saturday).

On 05 December 2001, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee and the surcharge under 37 CFR 1.492(e) for providing the oath or declaration later than thirty months from the priority date.

On 18 March 2002, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (FORM PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration of the inventor in compliance with 37 CFR 1.497(a)-(b) was required.

On 15 November 2002, the DO/EO/US mailed a NOTIFICATION OF

ABANDONMENT (Form PCT/DO/EO/909) indicating that the application was abandoned for failure to timely respond to the Notification mailed 18 March 2002.

On 05 May 2003, applicants filed a "PETITION TO VACATE ABANDONMENT".

On 13 January 2005, a decision was mailed vacating the NOTIFICATION OF ABANDONMENT mailed 15 November 2002. The decision also indicated that a declaration of inventors in compliance with 37 CFR 1.497(a)-(b) was required.

On 24 January 2005, applicants filed a submission which was accompanied by two declarations of inventors.

On 22 February 2005, a decision was mailed indicating that the declarations of inventors filed 24 January 2005 were not in compliance with 37 CFR 1.497(a)-(b) because these declarations identified the specification being executed as being "attached hereto", however, no specification was attached to either of the declarations.

On 02 March 2005, applicants filed a submission which was accompanied by two declarations of inventors and a specification attached to each declaration.

### **DISCUSSION**

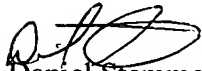
The two declarations of inventors filed 02 March 2005 are in compliance with 37 CFR 1.497(a)-(b). MPEP § 602, item "VI. Identification of Application", sets forth the combinations of information supplied in an oath or declaration filed after the filing date of the application which are acceptable as minimums for identifying a specification. The declarations filed 02 March 2005 identify the specification being executed as being "attached hereto". A specification is attached to each of the declarations. The specification attached to each declaration is presumed to be a copy of the specification which was filed in the USPTO in order to obtain a filing date for the application.

### **CONCLUSION**

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application in accordance with

this decision, including the accordation of a 35 U.S.C. §§371(c)(1), (c)(2), and (c)(4) date of 02 March 2005.



Daniel Stemmer

PCT Legal Examiner

PCT Legal Affairs

Office of Patent Cooperation Treaty

Legal Administration

Telephone: (571) 272-3301

Facsimile: (571) 273-0459